

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 617 By Senator McPherson

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

MOTOR VEHICLES. Prohibits impounding of a motor vehicle operated by Louisiana residents for a first violation except when there exists an imminent danger to the public. (8/15/10)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Changes the application of proposed law from a private passenger car, pickup truck, van recreational vehicle, or motorcycles to apply to all motor vehicles.
2. Clarifies that the notice of noncompliance shall be for violation of failure to present evidence of compulsory motor vehicle liability security, a citation or violation ticket.
3. Adds a provision for impoundment for a second or subsequent offense for violation of current law or when the motor vehicle or its contents is an instrument of a crime or has evidentiary value, or when the operator is operating a motor vehicle under suspension or revocation of his driver's license.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

McPherson

SB No. 617

Proposed law prohibits impoundment of a motor vehicle stopped while being operated by a Louisiana resident by a law enforcement officer where such vehicle or operator, or both, present no imminent danger to the public.

Proposed law provides that an operator who is a resident of Louisiana shall be issued a notice of noncompliance if for a violation of present law, or a citation or violation ticket and allowed to proceed. Provides further that a law enforcement officer may remove the license plate from a motor vehicle.

Proposed law defines "imminent danger to the public" as a present and apparent danger to the life, health, safety, or property of the public.

Proposed law provides that the impoundment prohibition applies only to a first violation and makes impoundment discretionary with the law enforcement officer for a second or subsequent violation when the motor vehicle involves a violation of present law, the motor vehicle or its contents is an instrument of a crime or has evidentiary value or when the operator is operating a motor vehicle under suspension or revocation of his driver's license.

Effective August 15, 2010.

(Adds R.S. 32:392.1)

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